

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Jesus M. Simms;
Tommy T. Bush;
Woodrow Stallings Jr.;
Morningstar Thomas;
Dennise White, et al
Plaintiff's

-V-

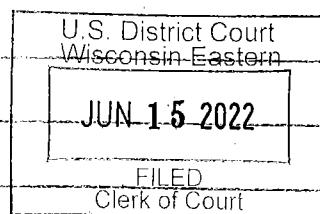
Inspector Dobson; The Sheriff's of the (MCSO)
Earnell Lucas; County Executive David Crowley;
City of Milwaukee
Wisconsin; And County of Milwaukee Wisconsin, D.O.C.;
Defendant's

CLASS ACTIONS
COMPLAINT AT LAW UNDER THE CIVIL
RIGHTS ACT, 42 U.S.C. § 1983

JURY DEMAND

Class Actions

Case No. 22-cv-00697



NOW COMES The Plaintiff's Jesus M. Simms,
Tommy T. Bush, Woodrow Stallings Jr., Morningstar
Thomas, Complaining of Defendants Inspector
Dobson, The Sheriff's of MCSO Earnell Lucas,
County Executive David Crowley, City of Milwaukee
Wisconsin And County of Milwaukee Wisconsin, D.O.C., as
of Law in this Cause, for the following Reasons:

1 OF 2

COMPLAINT WITH JURY DEMAND

This is a civil rights class actions filed by Jesus M. Simms, Tommy T. Bush, Woodrow Stallings Jr, Morningstar Thomas, State Pretrial Detainee's for damages and injunctive relief under 42 U.S.C. § 1983, alleging denial of violations experienced by Milwaukee County detainees, violating the 8th and 14th amendments of the United States Constitution. And Dennise Whyte.

JURISDICTION

1. The Court has jurisdiction over the Plaintiff's Claims of violation of federal Constitutional rights under 42 U.S.C. §§ 1331(1) and 1343.
2. The Court supplemental jurisdiction over the Plaintiff's State law tort Claims under 28 U.S.C. § 1337.

PARTIES

3. The Plaintiff's, Jesus M. Simms, Tommy T. Bush,

Woodrow Stallings Jr, Morningstar Thomas, is incarcerated at Milwaukee County Jail Facility (MCJ) during the events described in this Complaint. And Dennise Whyte

4. The Defendant Inspector Dobson is the Deputy Warden for Security, Administrator at the (MCJ) and is in Charge of the Supervision and discipline of all Correctional Staff at the (MCJ). He is Sued in his Individual Capacity.

5. The Defendant Earnell Lucas is the Sheriff of Milwaukee County and is legally responsible for all Security Staff at the (MCJ). He is sued in his Individual Capacity.

6. The Defendant David Crowley is the County Executive and is legally responsible over all Staff at the (MCJ). He is sued in his Individual Capacity.

7. The Defendant City of Milwaukee Wisconsin, And County of Milwaukee Wisconsin, is legally responsible for all Security Staff and Staff at the (MCJ). The City and County is Sued in their Individual Capacity. And (DOC).

8. Grievances not taken serious, DisPROportionate food Servings, Un-nutritious food Servings, Foods are Served Either Freezer burnt or Spoiled, Inadequate mattresses.

9. Pretrial Detainees legal Material and books with torn Pages, Also no law library or COMPUTERS to research Case's or build legal defence.

10. Public defender Shortage (See Milwaukee Journal Sentinel-Monday February 28, 2022 / 3A Karen Madden Journalist).

11. NOT SUPPLYing hygiene Products when asked OR they run OUT often.

12. Living in unsanitary Conditions with bugs and other insects.

13. No Sheets for bed linen; You're only giving two blankets and one is to be used as a bed SPread.

14. Rooms are cold, reaching temperatures of 68° or less When temperature is SUPPOSE to be at least 79° Room temperature.

15. The slow processing of going to your Preliminary hearing. The slow processing of outgoing mail or receiving mail. The slow processing of getting legal copies made.

16. Deprivation of speedy trial demands Pursuant to the 6th amend. of the U.S. Const.

17. Since we entrance into the County jail facilities we have been treated very inhumane, we have been treated less than animals.

18. The hot meals have been served cold undercooked, Freezer burnt and out dated.

19. Detainees have been experiencing upset stomach aches, diarrhea, gastric stomach, acid reflux and heartburn.

20. When detainees file grievances against these matters the grievance specialist either fail to investigate, answer around the problem or don't care about the situation.

21. I Jesus M. Simms along with several other detainee have filed multiple grievances arising

from the mistreatment of Staff and other authoritative Staff members. Yet no Changes.

22. We are living in unsanitary Conditions and most of the time we're not provided with hygiene needs at the time it's needed because they either run out or Staff fail to administer it for reasons unknown.

23. Majority of us detainees have open cases and are fighting for our freedom, but there is no fight when we are fighting with outdated Statue books with torn Pages, no law library or computers to research Case law to build adequate defence.

24. Every morning Pretrial Detainees wake up complaining about Sore backs and necks because the "Mattresses" here at the (MCJ) are so thin you might as well be sleeping on the concrete that the mattresses lay on. This is at all times relevant CRUEL and UNUSUAL PUNISHMENT. These mattresses are about $1\frac{1}{2}$ to 2 inches thick with very little Padding inside them.

25. Detainees are being deprived of the Proper medical treatments by the Well-Path Medical Staff Contracted by the County Jail. Detainees are deprived of the Proper medication, dosage of medication and they Seldom run out of medication and fail to order them in a timely manner and Sometimes detainees has to go amissed Of Certain medication needed to make their bodies function in the Correct Manner.

26. In November of 2021 an African American man by the Name Darryl Brooks caused mass hysteria and Panic when he Plowed through a crowded Parade Killing and injuring Several Innocent People attending the Parade in Waukesha, Wisconsin. Mr. Brooks was already on a \$1,000.⁰⁰ Cash bail Prior to the incident for running over his Girlfriend with his Vehicle at a near by gas Station, because of the; Law Makers felt a Since of Urgency to Rush to legislature and Create new laws to Prevent reasonable bails/ Personal recognize(P.R.) bonds amongst defendants, hence Causing "MASS PUNISHMENT", over crowding Jails and Predominately targeting African

Americans People of Color and other minority groups

27. Overcrowding accompanied by unsanitary and dangerous condition can constitute an Eighth Amendment Violation, almost every element of the Physical Plant and Provision of Services falls below Constitutional norms, Poor Physical Conditions, lack of Safety, breakdowns in medical and food Services, Problems with Physical Plant Sanitation, food Services, and Recreation, violence and understaffing. This is at all times is going on in the (MCJ).

28. The (MCJ) is locking us in the Cell all the time. Closely at the amount of lock-in time and are more likely to find a Constitutional Violation if detainee's are double-Celled or otherwise crowded for long hours with little out-of-cell activity. At the (MCJ). In fact, Single-Celling in very small Cells may violate the Constitution if lock-in times are long. Some times we are in the Cells for 24 hours at the (MCJ).

29. Increased violence from inadequate supervision, deterioration of Plumbing and Sewage treatment,

Reduction in out-of-cell activities like recreation and religious services.

30. The (MCJ) is overcrowding of inmates in the Correctional facilities and can lead to violence among detainee's, breakdowns in Classification Systems, deterioration of the Physical Condition of the (MCJ), and Other Safety hazards. When Overcrowding Causes such adverse effects, the Overcrowding is Unconstitutional.

31. The Staff at the (MCJ) failure to provide "basic necessities," lack of recreation, breakdown of classification, failure to deliver medication. Classification breakdowns, deficiencies in medical care, sanitation, and food service.

32. The Milwaukee County Jail Problems with Safety, Classification, idleness, food Service, Ventilation, Plumbing, noise and Medical Care, the old Milwaukee County Jail with "deplorable" and "Sordid" Conditions and increased violence.

33. The Milwaukee County Jail Citing lock-in time of 16 to 23 or more hours a day in finding double-Celling Unconstitutional long lock-in

times weighed.

34. Deliberately indifferent exposure of prisoners to sewage or other forms of human waste may violate the Eighth Amendment... Exposure to other types of toxic fumes and substances has also been found to present concern. These regulations are evidence of contemporary standards of decency

35. Inmate exposure to sewage can constitute a serious risk to inmate health and safety and satisfy the objective component [of the Eighth Amendment]... Evidence in the record confirms what is obvious: Exposure to human waste of others carries a significant risk contradicting infectious disease such as Hepatitis A, Shigella, and others. There is no requirement that an inmate suffer serious medical problems before conditions is actionable.

36. Consider Milwaukee County Jail conditions of lately: Inmate have informed jail officials on numerous occasions of overflooding toilet to be left in cell with toxic sewage waste, for sometimes hours, with waste reaching almost two inches. This is all going on at (MCJ).

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37. To finally have Jail inmate workers to clear up enough to satisfy Jail Staff due to the unprofessional chastising of impatience and or shortage of staff leaving toxic waste debris.

38. Also using the same clothing/laundry to contain the spread of toxic sewage waste of others throughout the facility and giving inmates the same clothing, towels, and blankets to use for our person. Hitting on Emergency Button to be ignored.

39. Furthermore, on multiple occasions toilets have been disabled for the maximum, of about, twelve to thirteen hours, leaving inmates on and off institution lockdown, to hold bowels for excessively long periods at a time, where some could not, or already did, had to suffer under such conditions.

40. The Plaintiff's Asserts that the (MCJ) Policies effectively prevent inmates or Pretrial Detainees from accessing information that is available only on the internet, or a LLC Publisher or is prohibitively expensive and time-consuming to obtain through

Other methods. For example, there is a record. As you can see the (MCJ) denial of Plaintiff's First Amendment by keeping the Plaintiff's Legal book's Not letting Plaintiff's get Mail Containing from LLC Publisher "From Prison Legal News" Legal Mail, Legal Books, Legal Information.

41. The (MCJ) Purposely and Maliciously Placed's the Plaintiff's Legal Book's in there Property So that the Plaintiff's Will Not Know of there Constitutional Rights as a Pretrial Detainees.

42. Shall be mad to assure that there will be no more than 110 inmates in booking area at the midnight Count At (MCJ). If the number exceeds 110, there Shall be a Plan for adequate emergency staffing in the (MCJ) booking Room.

43. The Plan Shall limit the number of inmates in the locked rooms Surrounding the open waiting area in the (MCJ) booking Room and Shall Specify how Often those Side rooms are Checked.

44. The maximum Permanent population limit

For the Jail Shall be 1100 at the midnight,
"11:59," Count (according to the So-Called "Daily
Census Reports").

45. We remand this case to the trial Court
to determine in light of this decision and WIS.
STAT. § 785.04, the "sum of money sufficient
to compensate" the inmates held in violation
of the Consent Decree for the "loss or injury
suffered," and such further proceedings
consistent with this opinion as may be
appropriate.

46. The Plaintiff's are entitled to be compensated
for the losses and injuries they suffered as a
result of Milwaukee's clear and blatant contempt.

47. The individual defendants are sued in their
representative capacities. Inspector Dobson,
Sheriff's of the (MCSO) Earnell Lucas, County
Executive Daid Crowley, City of Milwaukee
Wisconsin, And County of Milwaukee Wisconsin,
The Secretary of the Wisconsin Department of
Corrections(Doc).

48. Inmates who've hit their EMERGENCY button have been blantly ignored. Put off without the Proper Medical Professionals opion, and have had Circumstances where jail staff failed to do wellness checks according to jail operation procedures, while EMERGENCY light is active for hours at a time. Even when Wellness check is being conducted jail staff do not check in to see if everything is okay. They do their rounds, scan their I.O. cards and continue on their way. This shows deliberate indifference towards MCJ detainee's violating Inmates Eighth Amendment(cruel and unusual punishment) and Fourteenth Amendment(Due Process)

49. Inmates on Medication have been denied the Proper opportunity to take Meds, given the wrong meds, told they had no meds, or told that they either ran behind on the order or don't have anymore in stock. Medication was even lost within the jail. Outdated equipment along with nurses that had no real experience were sent to do test concerning the heart with equipment that continuously fell off during test where nurse asked inmate(s) to hold on. causes inconclusive results. So says the nurse doing the test. Nurses take blood and urine samples and don't inform of results. Some with high-blood pressure don't get Vitals checked. Most times nurses tell inmates they can't check or don't have

SIGNATURES CONTINUED

Charles Roby

Charles Roby

Dreshawn Freeman

Dreshawn Freeman

Brandon Jones

Brandon Jones

Mario Rogers

Mario Rogers

Iroquois Regazzi

Iroquois Regazzi

Derrick Ellis

Derrick Ellis

Jerod Brumfield

Jerod Brumfield

Anthony Johnson

Anthony Johnson

Noah Hunter

Noah Hunter

Christian & Cardona

Christian & Cardona

Vann Pope

Vann Pope

Marion Pattillo

Marion Pattillo

Dayaon Hill

Dayaon Hill

Daryl Childress

Daryl Childress

Jesus M. Simms

Milwaukee County

Jail 949 N. 9th St

Milwaukee, WI

53233

WHEREFORE, Plaintiff's Jesus M. Simms,
Tommy T. Bush, Woodrow Stallings Jr.,
Morningstar Thomas, Dennise White, et al
requests that the Court grant the following
relief

40. Award Compensatory damages in the following amounts: On each defendants Inspector Dobson, Sheriff's Earnell Lucas, County Executive David Crowley, City of Milwaukee, And County of Milwaukee Wisconsin and (Doc), Of \$4444,000,000.00

41. Award Punitive damages in the following amounts: On each defendants OF \$444,400,000.00 Million

42. All Defendants are Sued in their individual Capacity. Grant Such Other Relief as it may appear that Plaintiff's is entitled.

Date 6/15/2022

Thaddeus Beard

Michael Howard Dr.
Clifford E Bent Jr

Laurence Gregory Burns
Lawrence Gregory Burns

Michael Howard
Morningstar Thomas
Morningstar Thomas

Tommy T. Bush
Tommy T. Bush

Woodrow Stallings Jr.
Woodrow W. Stallings Jr.

Dennis White
Dennise White

Exhaustion Of Administrative Remedies

43. The Plaintiff's has exhausted their administrative remedies with respect to all Claims and all defendants.

The Plaintiff's declare Under Penalty of Perjury that the foregoing in the complaint is true and correct.

Date 6/5/2022

949 N. 9th St
Milwaukee, WI 53233

Milwaukee County Jail

Keveon Wade

Keveon Wade
Dennis White

Jesus M. Simms

Dennise White

Jesus Moses Simms

Michael E. Bent Jr.
Michael E. Bent Jr.

Tommy T. Bush

Lawrence G. Burns
Lawrence G. Burns

Woodrow Stallings Jr.

Michael Howard

Woodrow Stallings Jr.

Thadous Beard

Morningstar Thomas

Thadous Beard

Morningstar Thomas

19 of 19